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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robert R. STEUER et al.

Serial No. 10/730,005

Filed: December 9, 2003

For: SENSOR FOR TRANSCUTANEOUS
MEASUREMENT OF VASCULAR
ACCESS BLOOD FLOW

Confirmation No.: 2732

Art Unit: 3736

Examiner: (to be determined)

Atty Docket: P65684US1

AMENDMENT CORRECTING INVENTORSHIP
UNDER 37 CFR § 1.48

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

It is respectfully requested that the inventorship of the present application be changed to add
Louis L. Barrett as an inventor.

In accordance with 37 CFR § 1.48 and MPEP 201.01, the following are submitted herewith:

- (1) A statement from Louis L. Barrett that the error in inventorship occurred without deceptive intention on his part;
- (2) Executed declarations from all of the inventors, as required by 37 CFR § 1.63;
- (3) The processing fee of \$130 as set forth in 37 CFR § 1.17(i); and
- (4) The written consent of the assignee, Hema Metrics , Inc.

07/07/2004 HVUONG1 00000116 10730005

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An assignment from Louis L. Barrett to Hema Metrics, Inc. is being submitted separately.

It is not believed that any further fees are required for consideration of this paper. However, in the event that any further fees are required for consideration of this paper and any papers associated with it, such fees are hereby authorized to be charged to our Deposit Account No. 06-1358.

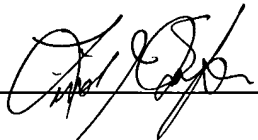
Favorable consideration and granting of this request are earnestly solicited.

Respectfully submitted,

JACOBSON HOLMAN PLLC

Date: June 25, 2004

Customer No. 00,136
400 Seventh Street, N.W.
Washington, D.C. 20004
(202) 638-6666

By: 

Linda Shapiro
Registration No. 28,264



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In re Application of:	:	
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Robert R. STEUER et al.	:	Confirmation No.: 2732
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Serial No. 10/730,005	:	Art Unit: 3736
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Filed: December 9, 2003	:	Examiner: (to be determined)
	:	
For: SENSOR FOR TRANSCUTANEOUS	:	Atty Docket: P65684US1
MEASUREMENT OF VASCULAR	:	
ACCESS BLOOD FLOW	:	
	:	

STATEMENT OF ADDED INVENTOR

Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Louis L. Barrett, hereby declare that:

I was omitted as an inventor of this application.

My omission as an inventor was the result of an error that occurred without deceptive intention on my part.

All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true.

7

I further declare under penalty of perjury that the foregoing is true and correct and understand that willful false statements and the like may jeopardize the validity of this application or any patent issuing thereon.

Signed:

A handwritten signature in cursive script, appearing to read "Louis L. Barrett", is written over a horizontal line.

Louis L. Barrett

Date: 5/20/04



DECLARATION
AND POWER OF ATTORNEY
U.S.A.

FOR ATTORNEYS' USE ONLY

ATTORNEYS' DOCKET NO.

P65684US1

ALL PATENTS, INCLUDING DESIGN
FOR APPLICATION BASED ON PCT; PARIS CONVENTION;
NON PRIORITY; OR PROVISIONAL APPLICATIONS

As a below named inventor, I declare that my name, my address and citizenship are stated below next to my name, the information given herein is true, that I believe that I am the original, first and sole inventor (if only one name is listed at 201 below), or one of the first and joint inventors (if plural inventors are named below at 201-203, or on additional sheets attached hereto) of the subject matter which is claimed and for which patent is sought on the invention entitled:

SENSOR FOR TRANSCUTANEOUS MEASUREMENT OF VASCULAR ACCESS BLOOD FLOW

which is described and claimed in:

☐ the attached specification

☐ PCT International Application No.

☒ the specification in application Serial No.

10/730,005

filed

filed

December 9, 2003

and amended (if applicable) on December 9, 2003

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent or inventor's or plant breeder's rights certificate, or under 35 U.S.C. 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's or plant breeder's rights certificate(s) having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

☐ Yes ☐ No

☐ Yes ☐ No

(Number)

(Country)

(Day/Month/Year Filed)

(Number)

(Country)

(Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

Application No. Filing Date Application No. Filing Date Application No. Filing Date

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

09/750,076

December 29, 2000

pending

(Application Serial No.)

(Filing Date)

(Status: patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status: patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status: patented, pending, abandoned)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys (Registration No.) to prosecute this application, receive and act on instructions from my agent, and transact all business in the Patent and Trademark Office connected therewith: HARVEY B. JACOBSON, JR. (Reg. No. 20,851); JOHN CLARKE HOLMAN (Reg. No. 22,769); ALLEN S. MELSER (Reg. No. 27,215); MICHAEL R. SLOBASKY (Reg. No. 26,421); JONATHAN L. SCHERER (Reg. No. 29,851); IRWIN M. AISENBERG (Reg. No. 19,007); WILLIAM E. PLAYER (Reg. No. 31,409); MICHAEL G. VARGA (Reg. No. 39,410); YOON S. HAM (Reg. No. 45,307); LINDA J. SHAPIRO (Reg. No. 28,264); SUZIN C. BAILEY (Reg. No. 40,495); JOSEPH G. CONTRERA (Reg. No. 44,628); MARVIN R. STERN (Reg. No. 20,640); AND NATHANIEL A. HUMPHRIES (Reg. No. 22,772).

SEND CORRESPONDENCE TO: CUSTOMER NO. 00136

or
JACOBSON HOLMAN, PLLC
PROFESSIONAL LIMITED LIABILITY COMPANY
400 SEVENTH STREET, N.W.
WASHINGTON, D.C. 20004

DIRECT TELEPHONE CALLS TO:

(please use Attorney's Docket No.) (202) 638-6666

JACOBSON HOLMAN, PLLC
PROFESSIONAL LIMITED LIABILITY COMPANY

*Inventor(s) name must include at least one unabbreviated first or middle name.

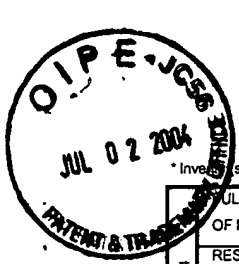
	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME
201	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY
				ZIP CODE
202	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY
				ZIP CODE
203	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY
				ZIP CODE

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201	SIGNATURE OF INVENTOR 202	SIGNATURE OF INVENTOR 203
DATE	DATE	DATE

☐ Additional inventors are named on separately numbered sheets attached hereto.

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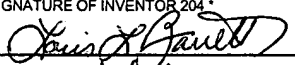


JACOBSON HOLMAN PLLC
ADDITIONAL INVENTORS

* Inventor(s) name must include at least one unabbreviated first or middle name.

204	FULL NAME * OF INVENTOR	FAMILY NAME BARRETT	GIVEN NAME Louis	MIDDLE NAME L.	
	RESIDENCE & CITIZENSHIP	CITY West Point	STATE OR FOREIGN COUNTRY Utah	COUNTRY OF CITIZENSHIP United States	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 595 North 2200 West	CITY West Point	STATE OR COUNTRY Utah	ZIP CODE 84015
205	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
206	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
207	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
208	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
209	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
210	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
211	FULL NAME * OF INVENTOR	FAMILY NAME	GIVEN NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are to be true, and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment or both, under section 1001 of Title 18 of the United States Code; and that such wilful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 204 *	SIGNATURE OF INVENTOR 205 *	SIGNATURE OF INVENTOR 206 *
		
DATE 6/7/04	DATE	DATE
SIGNATURE OF INVENTOR 207 *	SIGNATURE OF INVENTOR 208 *	SIGNATURE OF INVENTOR 209 *
DATE	DATE	DATE
SIGNATURE OF INVENTOR 210 *	SIGNATURE OF INVENTOR 211 *	
DATE	DATE	

☐ Additional inventors are named on separately numbered sheets attached hereto.

PATENT

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Atty Docket: P65684US1

CONSENT OF ASSIGNEE TO CORRECTION OF INVENTORSHIP

Commissioner for Patents
Washington, D.C. 20231

Sir:

Hema Metrics, Inc., a Utah corporation, and the assignee of the above-identified application,
hereby consents to the correction of inventorship by the addition of Louis L. Barrett as an inventor.

Hema Metrics, Inc. certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. [] An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the U.S. Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s) of the patent identified above to the current assignee as shown below:

1. Assignment from Robert R. Steuer, David A. Bell, and David R. Miller to Non-Invasive Medical Technologies Corporation, d.b.a. In-Line Diagnostics Corporation. The document was recorded in the Patent and Trademark Office at Reel 011421, Frames 0686-0690, or for which a copy thereof is attached.
2. Change of name from Non-Invasive Medical Technologies Corporation, d.b.a. In-Line Diagnostics Corporation to Hema Metrics, Inc.. The document was recorded in the Patent and Trademark Office at Reel _____, Frames _____, or for which a copy thereof is attached.
3. From _____ to _____. The document was recorded in the Patent and Trademark Office at Reel _____, Frames _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

Date: 5-24-04

Name: David Bell

Title: Chief Technology Officer

Signature: David Bell